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**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

URSULA BYRAM, S.B. by and  
through guardian ad litem TIMOTHY  
BYRAM, N.B. by and through guardian  
ad litem TIMOTHY BYRAM, and A.B.  
by and through guardian ad litem  
KAITLYN HUMENCHUK,  
individually and as successors-in-  
interest to Everett Byram,

Plaintiffs,

v.

COUNTY OF LOS ANGELES,  
BLAKE RUNGE, and BRENDA  
ALCANTARA,

Defendants.

Case No. 2:23-cv-09285-KS

[*Hon. Karen L. Stevenson*]

**[PROPOSED] FINAL PRETRIAL  
CONFERENCE ORDER**

Pre-Trial Conference

January 21, 2025, 10:00 a.m.

Trial

February 10, 2025, 8:30 a.m.

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Following pretrial proceedings, pursuant to Fed. R. Civ. P., Rule 16, and L.R. 16,  
IT IS HEREBY ORDERED:

This order may be modified as necessary pursuant to this Court's pending  
rulings on the parties' various motions *in limine*.

**1. THE PARTIES ARE:**

Plaintiffs: Ursula Byram  
S.B., through guardian ad litem Timothy Byram  
N.B., through guardian ad litem Timothy Byram  
A.B., through guardian ad litem Kaitlyn Humenchuk

Defendants: County of Los Angeles  
Blake Runge  
Brenda Alcantara

Each of these parties has been served and has appeared. All other parties  
named in the pleadings and not identified in the preceding paragraph are now  
dismissed.

The pleadings which raise the issues are: Plaintiffs' First Amended  
Complaint filed March 29, 2024 (ECF No. 50); Defendants County of Los Angeles  
and Blake Runge's Answer filed April 12, 2024 (ECF No. 61); Defendant Brenda  
Alcantara's Answer filed May 14, 2024 (ECF No. 65); the parties respective  
Memorandums of Contentions of Fact and Law (ECF Nos. 73, 76); and this  
[Proposed] Final Pretrial Conference Order.

**2. FEDERAL JURISDICTION AND VENUE ARE INVOKED UPON  
THE FOLLOWING GROUNDS:**

1 Subject-matter jurisdiction is appropriate under 28 U.S.C. §§ 1331, 1343(a),  
2 and 1367 and venue is appropriate under 28 U.S.C. § 1391(b). The facts requisite to  
3 federal jurisdiction are admitted.

4 **3. TRIAL ESTIMATE:**

5 The parties estimate 5–7 court days for this trial.

6 **4. THE TRIAL IS TO BE A JURY TRIAL**

7 The trial is to be a jury trial.

8 The parties have been and will continue to file pretrial documents according  
9 to this Court’s Scheduling Order regarding proposed jury instructions, proposed  
10 special verdict forms, and proposed *voir dire*.

11 **5. THE FOLLOWING FACTS ARE ADMITTED AND REQUIRE NO**  
12 **PROOF:**

13 1. This incident occurred on February 10, 2023, at approximately 10:30  
14 p.m. at 37539 Oxford Drive, City of Palmdale, County of Los Angeles, State of  
15 California.

16 2. Defendant Blake Runge was acting within the course and scope of his  
17 employment as a Deputy Sheriff of the Los Angeles County Sheriff’s Department.

18 3. Defendant Blake Runge was acting under color of law.

19 4. Defendant Brenda Alcantara was acting within the course and scope of  
20 her employment as a Deputy Sheriff of the Los Angeles County Sheriff’s.

21 5. Defendant Brenda Alcantara was acting under color of law.

22 **6. THE FOLLOWING FACTS, THOUGH STIPULATED, SHALL BE**  
23 **WITHOUT PREJUDICE TO ANY EVIDENTIARY OBJECTION:**

24 The parties do not stipulate to any facts beyond those listed in the above  
25 “Admitted Facts” in Section 5 above.

26 **7. THE PARTIES CLAIMS AND DEFENSES.**

1 Plaintiffs' Claims:

2 (a) Plaintiffs plan to pursue the following claims against the following  
3 defendants:

4 **Claim 1: EXCESSIVE FORCE (42 U.S.C. § 1983 and the Fourth**  
5 **Amendment)**

6 Claim 1 is brought by Plaintiffs against Defendant Blake Runge. Plaintiffs  
7 contend that Blake Runge used excessive force against Everett Byram ("Mr.  
8 Byram"), which resulted in Mr. Byram's injuries and death. Plaintiffs bring this  
9 claim as Mr. Byram's successors in interest and seek survival damages for Mr.  
10 Byram's pre-death pain and suffering, loss of life, and loss of enjoyment of life.  
11 Plaintiffs also seek punitive damages and attorneys' fees on this claim.

12 **Claim 2: SUBSTANTIVE DUE PROCESS, INTERFERENCE WITH**  
13 **FAMILIAL RELATIONS (42 U.S.C. § 1983 and the Fourteenth**  
14 **Amendment)**

15 Claim 2 is brought by Plaintiffs against Defendant Blake Runge. Plaintiffs  
16 contend that Blake Runge used excessive force against Mr. Byram in a manner that  
17 shocks the conscience, which resulted in Mr. Byram's death and interfered with the  
18 Plaintiffs' familial relationship with their husband and father, Mr. Byram. Plaintiffs  
19 bring this claim individually and seek wrongful death damages on this claim.  
20 Plaintiffs also seek punitive damages and attorneys' fees on this claim.

21 **Claim 3: UNLAWFUL DETENTION (42 U.S.C. § 1983 and the Fourth**  
22 **Amendment)**

23 Claim 3 is brought by Plaintiffs against Defendant Brenda Alcantara.  
24 Plaintiffs contend that Defendant Brenda Alcantara unlawfully detained Plaintiff  
25 Ursula Byram ("Mrs. Byram") for a period exceeding four hours without  
26 justification, which resulted in Mrs. Byram suffering emotional distress. Mrs. Byram  
27 brings this claim individually and seeks compensatory damages, including pain and  
28

1 suffering, emotional distress, and humiliation. Mrs. Byram also seeks attorney's fees  
2 under this claim.

3 **Claim 4: 42 U.S.C. § 1983 MUNICIPAL LIABILITY CLAIM –**  
4 **Unconstitutional Custom or Policy**

5 Claim 4 is brought by Plaintiffs against Defendant County of Los Angeles.  
6 Plaintiffs contend that Defendant County of Los Angeles maintained an  
7 unconstitutional custom or policy with respect to the use of deadly force, and this  
8 unconstitutional custom or policy played a substantial part in causing Mr. Byram's  
9 death and Plaintiffs' damages. Plaintiffs bring this claim individually and as  
10 successors in interest to Mr. Byram and seek wrongful death and survival damages  
11 on this claim. Plaintiffs also seek punitive damages and attorney's fees on this  
12 claim.

13 **Claim 5: 42 U.S.C. § 1983 MUNICIPAL LIABILITY CLAIM – Failure to**  
14 **Train**

15 Claim 5 is brought by Plaintiffs against Defendant County of Los Angeles.  
16 Plaintiffs contend that Defendant County of Los Angeles failed to train Defendant  
17 Blake Runge with respect to the use of deadly force, and this failure to train played a  
18 substantial part in causing Mr. Byram's death and Plaintiffs' damages. Plaintiffs  
19 bring this claim individually and as successors in interest to Mr. Byram and seek  
20 wrongful death and survival damages on this claim. Plaintiffs also seek punitive  
21 damages and attorneys' fees on this claim.

22 **Claim 6: 42 U.S.C. § 1983 MUNICIPAL LIABILITY CLAIM – Ratification**

23 Claim 6 is brought by Plaintiffs against Defendant County of Los Angeles.  
24 Plaintiffs contend that Defendant County of Los Angeles has a history of ratifying  
25 unconstitutional and unreasonable uses of force, including deadly force, and ratified  
26 Defendant Blake Runge's unreasonable use of lethal force against Mr. Byram, and  
27 the bases for the shooting. Defendant County of Los Angeles is therefore liable to  
28 Plaintiffs. Plaintiffs bring this claim individually and as successors in interest to Mr.



1 Byram and seek wrongful death and survival damages on this claim. Plaintiffs also  
2 seek punitive damages and attorneys' fees on this claim.

3 **Claim 7: AMERICANS WITH DISABILITIES ACT (42 U.S.C. § 12132)**

4 Claim 7 is brought by Plaintiffs against Defendant County of Los Angeles.  
5 Plaintiffs contend that Mr. Byram was a "qualified individual" with a mental  
6 impairment that substantially limited his ability to care of himself and control his  
7 mental health. Under the ADA, Defendant County of Los Angeles is mandated to  
8 develop effective procedures for interactions with individuals with mental  
9 disabilities and to ensure the protection of their personal and civil rights. The  
10 County failed to properly train its deputies to respond and interact peacefully with  
11 individuals with mental health impairments suffering from mental health crises,  
12 such as Mr. Byram. Blake Runge failed to follow procedures for de-escalation,  
13 including waiting for a trained mental health crisis team to arrive on scene to assist  
14 Mr. Byram, who was experiencing a mental health crisis. *See Sheehan v. City and*  
15 *Cnty. of San Francisco*, 743 F.3d 1211, 1233 (9th Cir. 2014) (holding that the ADA  
16 "applies broadly to police 'services, programs, or activities'" and recognizing claims  
17 for "(1) wrongful arrest, where police wrongly arrest someone with a disability  
18 because they misperceive the effects of that disability as criminal activity; and (2)  
19 reasonable accommodation, where, although police properly investigate and arrest a  
20 person with a disability for a crime unrelated to that disability, they fail to  
21 reasonably accommodate the person's disability in the course of investigation or  
22 arrest, causing the person to suffer greater injury or indignity in that process than  
23 other arrestees." (internal citations omitted).

24 As a result of the acts and omissions of Deputy Runge and the County, Mr.  
25 Byram suffered damages, including loss of life and pain and suffering. Plaintiffs  
26 bring this claim individually and as successors in interest to Mr. Byram and seek  
27 wrongful death and survival damages on this claim. Plaintiffs also seek attorneys'  
28 fees and costs under this claim.

1 **Claim 8: BATTERY (Wrongful Death and Survival)**

2 Claim 8 is brought by Plaintiffs against Defendants Blake Runge and the  
3 County of Los Angeles. Plaintiffs contend that Blake Runge’s use of unreasonable  
4 force against Mr. Byram violated Mr. Byram’s rights. Plaintiffs contend that the  
5 County of Los Angeles is vicariously liable for Runge’s conduct pursuant to Cal.  
6 Gov. Code § 815.2(a) (“A public entity is liable for injury proximately caused by an  
7 act or omission of an employee of the public entity within the scope of his  
8 employment if the act or omission would, apart from this section, have given rise to  
9 a cause of action against that employee or his personal representative.”). Plaintiffs  
10 bring this claim individually and as Mr. Byram’s successors in interest and seek  
11 wrongful death and survival damages on this claim, including pre-death pain and  
12 suffering, loss of life, and loss of enjoyment of life. *See Senate Bill 447, Civil*  
13 *actions: decedent’s cause of action* (2021-2022). Plaintiffs also seek punitive  
14 damages on this claim.

15 **Claim 9: NEGLIGENCE (Wrongful Death and Survival)**

16 Claim 9 is brought by Plaintiffs against Defendants Blake Runge and the  
17 County of Los Angeles. Plaintiffs contend that Blake Runge’s negligent use of force  
18 against Mr. Byram, including Runge’s pre-shooting negligent tactics, violated Mr.  
19 Byrams rights. *Hayes v. Cnty. of San Diego*, 57 Cal. 4th 622, 639 (2013) (pre-  
20 shooting tactics “are relevant considerations under California law in determining  
21 whether the use of deadly force gives rise to negligence liability). The County is  
22 vicariously liable for Runge’s conduct pursuant to Cal. Gov. Code § 815.2(a) (“A  
23 public entity is liable for injury proximately caused by an act or omission of an  
24 employee of the public entity within the scope of his employment if the act or  
25 omission would, apart from this section, have given rise to a cause of action against  
26 that employee or his personal representative.”). Plaintiffs bring this claim  
27 individually and as Mr. Byram’s successors in interest and seek wrongful death and  
28

1 survival damages on this claim, including pre-death pain and suffering, loss of life,  
2 and loss of enjoyment of life. *See Senate Bill 447, Civil actions: decedent's cause of*  
3 *action* (2021-2022).

4 **Claim 10: FALSE IMPRISONMENT**

5 Claim 10 is brought by Plaintiffs against Defendants Brenda Alcantara and  
6 the County of Los Angeles. Plaintiffs contend that Brenda Alcantara's unlawful  
7 detention of Ursula Byram violated her rights. The County is vicariously liable for  
8 Alcantara's conduct pursuant to Cal. Gov. Code § 815.2(a) ("A public entity is  
9 liable for injury proximately caused by an act or omission of an employee of the  
10 public entity within the scope of his employment if the act or omission would, apart  
11 from this section, have given rise to a cause of action against that employee or his  
12 personal representative."). Mrs. Byram brings this claim and seeks damages for  
13 emotional distress and mental anguish.

14 **Claim 11: VIOLATION OF THE BANE ACT (Cal. Civil Code §52.1)**

15 Claim 11 is brought by Plaintiffs against Defendants Blake Runge and the  
16 County of Los Angeles. Plaintiffs contend that Defendant Runge acted with reckless  
17 disregard for Mr. Byram's rights under Cal. Civil Code § 52.1 when he shot him.  
18 Plaintiffs bring this claim as Mr. Byram's successors in interest and seek survival  
19 damages for Mr. Byram's pain and suffering, loss of life, and loss of enjoyment of  
20 life on this claim. Plaintiffs also seek punitive damages and a multiplier pursuant to  
21 Cal. Civil Code § 52 et seq.

22  
23 (b) The elements required to establish Plaintiffs' claims are:

24 **Claim 1: EXCESSIVE FORCE (42 U.S.C. § 1983 and the Fourth**  
25 **Amendment)**

26 Elements:

- 27 1. Blake Runge acted under color of law;  
28 2. Blake Runge used excessive force against Mr. Byram; and

3. The excessive force caused injury, damage, harm, or death to Mr. Byram  
*See* Ninth Circuit Manual of Model Civil Jury Instructions, No. 9.25, Particular  
Rights—Fourth Amendment—Unreasonable Seizure of a Person—Excessive Force  
(2017) (revised August 2023).

**Claim 2: SUBSTANTIVE DUE PROCESS, INTERFERENCE WITH  
FAMILIAL RELATIONS (42 U.S.C. § 1983 and the Fourteenth  
Amendment)**

Elements:

1. Blake Runge acted under color of law;
2. If the jury determines that Blake Runge had time to deliberate, then whether Blake Runge acted with deliberate indifference to Mr. Byram’s rights; if the jury determines that Blake Runge did not have time to deliberate, then whether Blake Runge acted with a purpose to harm unrelated to a legitimate law enforcement purpose.

*See Wilkinson v. Torres*, 601 F.3d 546, 554 (9th Cir. 2010); *Porter v. Osborne*, 546 F.3d 1131, 1137 (9th Cir. 2008).

**Claim 3: UNLAWFUL DETENTION (42 U.S.C. § 1983 and the Fourth  
Amendment)**

Elements:

1. Brenda Alcantara seized Ursula Byram’s person;
2. In seizing Ursula Byram’s person, Brendan Alcantara acted intentionally;  
and
3. The seizure was unreasonable.

*See* Ninth Circuit Manual of Model Jury Instructions, No. 9.20 Particular rights—  
Fourth Amendment—Unreasonable Seizure of Person—Generally (2017) (revised  
March 2021).

**Claim 4: 42 U.S.C. § 1983 MUNICIPAL LIABILITY CLAIM –  
Unconstitutional Custom or Policy**

Elements:

1. Blake Runge acted under color of law;
2. The acts of Blake Runge deprived Mr. Byram of his constitutional right to be free from excessive force;
3. Blake Runge acted pursuant to an expressly adopted official policy or a widespread longstanding practice or custom of the defendant County of Los Angeles; and
4. The defendant County of Los Angeles’ official policy or widespread or longstanding practice or custom caused the deprivation of Mr. Byram’s rights by the County of Los Angeles; that is, the County of Los Angeles’ official policy or widespread or longstanding practice or custom is so closely related to the deprivation of Mr. Byram’s rights as to be the moving force that caused the ultimate injury.

*See Ninth Circuit Manual of Model Jury Instructions, No. 9.5 Section 1983 Claims Against Local Governing Body Defendants Based on Official Policy, Practice or Custom—Elements and Burden of Proof; Monell v. Dep’t of Soc. Servs. of N.Y.*, 436 U.S. 658, 690 (1978).

**Claim 5: 42 U.S.C. § 1983 MUNICIPAL LIABILITY CLAIM – Failure to  
Train**

Elements:

1. The acts of Blake Runge deprived Mr. Byram of his constitutional right to be free from excessive force;
2. Blake Runge acted under color of state law;

1 3. The training policies of the County of Los Angeles, with respect to the use  
2 of deadly force, were not adequate to train its sheriff's deputies to handle  
3 the usual and recurring situations with which they must deal.

4 4. The County of Los Angeles was deliberately indifferent to the known or  
5 obvious consequences of its failure to train its deputies adequately with  
6 respect to the use of deadly force; and

7 5. The failure of the County of Los Angeles to provide adequate training with  
8 respect to deadly force caused Mr. Byram's injuries and/or death.

9 *See* Ninth Circuit Manual of Model Jury Instructions, No. 9.8, Section 1983 Claim  
10 Against Local Governing Body Defendants Based on a Failure to Train—Elements  
11 and Burden of Proof (2017) (revised December 2023); *Oviatt v. Pearce*, 954 F.2d  
12 1470, 1474 (9th Cir. 1992); *Monell v. Dep't of Soc. Servs. of N.Y.*, 436 U.S. 658,  
13 691 (1978).

14  
15  
16 **Claim 6: 42 U.S.C. § 1983 MUNICIPAL LIABILITY CLAIM – Ratification**

17 **Elements:**

- 18 1. Blake Runge acted under color of state law;  
19 2. The acts of Blake Runge deprived Mr. Byram of his constitutional right to  
20 be free from excessive force;  
21 3. A final policymaker for the County of Los Angeles acted under color of  
22 state law;  
23 4. A final policymaker for the County of Los Angeles had final policymaking  
24 authority from defendant County of Los Angeles concerning the acts of  
25 Blake Runge; and  
26 5. A final policymaker for the County of Los Angeles ratified Blake Runge's  
27 acts, that is, a final policymaker for the County of Los Angeles knew of  
28 and specifically made a deliberate choice to approve Blake Runge's acts

and the basis for it.

*See* Ninth Circuit Manual of Model Jury Instructions, No. 9.7 Section 1983 Claim Against Local Governing Body Defendants Based on Ratification—Elements and Burden of Proof; *Monell v. Dep’t of Soc. Servs. of N.Y.*, 436 U.S. 658, 690 (1978).

**Claim 7: AMERICANS WITH DISABILITIES ACT (42 U.S.C. § 12132)**

Elements:

1. Mr. Byram was a qualified individual with a disability;
2. Blake Runge and Los Angeles County excluded Mr. Byram from participation in or denied Mr. Byram the benefits of Los Angeles County’s services, programs, or activities, or otherwise discriminated against Mr. Byram; and
3. Such exclusion, denial of benefits, or discrimination was by reason of Mr. Byram’s disability.

*Updike v. Multnomah Cnty.*, 870 F. 3d 939, 949 (9th Cir. 2017); *Sheehan v. City & Cnty. of San Fransisco*, 743 F.3d 1211, 1232 (9th Cir. 2014), *rev’d in part on other grounds*, *City & Cnty. of San Francisco v. Sheehan*, 135 S. Ct. 1765 (2015).

**Claim 8: BATTERY (Wrongful Death and Survival)**

Elements:

1. Blake Runge used force against Mr. Byram;
2. Blake Runge used unreasonable force;
3. Mr. Byram did not consent to the use of force;
4. Mr. Byram was injured and/or killed; and
5. Blake Runge’s use of unreasonable force was a substantial factor in causing Mr. Byram’s injury and/or death.

1 See CACI 1305B, Battery by Peace Officer; *Yount v. City of Sacramento*, 43 Cal.  
2 4th 885, 902 (2008); *Munoz v. City of Union City*, 120 Cal. App. 4th 1077, 1102 n.6  
3 (2004).

4  
5 **Claim 9: NEGLIGENCE (Wrongful Death and Survival)**

6 Elements:

- 7 1. Blake Runge was negligent;  
8 2. Mr. Byram was injured and/or killed;  
9 3. The negligence of Runge was a substantial factor in causing Mr. Byram's  
10 injury and/or death.

11 See CACI 441, Negligent Use of Deadly Force by Peace Officer.

12  
13 **Claim 10: FALSE IMPRISONMENT**

14 Elements:

- 15 1. Brenda Alcantara intentionally deprived Ursula Byram of her freedom of  
16 movement;  
17 2. The detention compelled Ursula Byram to stay or go somewhere for some  
18 appreciable time, however short;  
19 3. Ursula Byram did not knowingly or voluntarily consent;  
20 4. Ursula Byram was actually harmed; and  
21 5. Brendan Alcantara's conduct was a substantial factor in causing Ursula  
22 Byram's harm.

23 See CACI 1400, No Arrest Involved – Essential Factual Elements.

24 **Claim 11: VIOLATION OF THE BANE ACT (Cal. Civil Code § 52.1)**

25 Elements:

- 26 1. Blake Runge acted under color of law;  
27  
28



2. Blake Runge intended to violate Mr. Byram’s rights, which can be shown by a reckless disregard for his constitutional rights;
3. Mr. Byram was injured;
4. Blake Runge’s conduct was a substantial factor in causing Mr. Byram’s injuries and/or death.

*See Reese v. Cnty. of Sacramento*, 888 F.3d 1030 (9th Cir. 2018) (quoting *United States v. Reese*, 2 F. 3d 870 (9th Cir. 1993) (“[I]t is not necessary for the defendants to have been ‘thinking in constitutional or legal terms at the time of the incidents, because a reckless disregard for a person’s constitutional rights is evidence of a specific intent to deprive that person of those rights.’” 888 F.3d 1030 (9th Cir. 2018)).

1. **AFFIRMATIVE DEFENSES** Defendants plan to pursue the following affirmative defenses:

- a. Qualified Immunity.
- b. Self Defense and Defense of Others.

2. The elements required to establish Defendants’ affirmative defenses are:

- a. Qualified Immunity:
  - i. Whether the facts show that Defendants’ conduct violated a constitutional right;
  - ii. If the alleged conduct is constitutionally impermissible, whether said right was “clearly established” by law at the time of the incident; and
  - iii. Whether a reasonable deputy could have believed his conduct was reasonable under the circumstances.
- b. Self Defense and Defense of Others:

- i. Deputy Runge reasonably believed that the Decedent was going to harm himself, them and/or others; and
- ii. Deputy Runge used only the amount of force that was reasonably necessary to control the Decedent and protect himself and others.

3. The key evidence Defendants rely on for each affirmative defense is:

- a. Defendants did not deprive the Decedent or Plaintiffs of their rights under the United States Constitution;
- b. Defendants did not violate a clearly established constitutional right of the Decedent and/or Plaintiffs of which a reasonable deputy would have known; and
- c. The Decedent did not have a clearly established right to not be subjected to use of force by the deputies after he resisted commands to drop his weapon and advanced toward the deputies.
- d. The force used by Defendants was in response to Decedent's aggression and threatening conduct; and
- e. The deputies ceased using force when the Decedent stopped resisting.

**8. REMAINING ISSUES:**

In view of the admitted facts and the elements required to establish the claims, counterclaims, and affirmative defenses, the following issues remain to be tried:

1. Whether the Defendant Blake Runge used excessive or unreasonable force;

1           2.     Whether Defendant Blake Runge was negligent in his use of force  
2 considering his pre-shooting tactics;

3           3.     Whether Mr. Byram was comparatively negligent

4           4.     Whether the Defendant Officers conduct was malicious, oppressive, or  
5 in reckless disregard to the rights of Plaintiffs' rights;

6           5.     Whether Defendant Brenda Alcantara unreasonably detained Ursula  
7 Byam;

8           6.     Whether the County of Los Angeles maintained an unconstitutional  
9 custom or policy related to the use of force;

10          7.     Whether the County of Los Angeles failed to properly train Blake  
11 Runge regarding the use of deadly force;

12          8.     Whether the County of Los Angeles has a history of ratifying  
13 unconstitutional and unreasonable uses of force and ratified Blake Runge's use of  
14 force;

15          9.     Whether the County of Los Angeles' customs and failures contributed  
16 to the death of Mr. Byram;

17          10.    Whether Mr. Byram was a "qualified individual" under the ADA;

18          11.    Whether the County of Los Angeles failed to properly train Blake  
19 Runge to respond and interact with individuals like Mr. Byram;

20          12.    The amount of punitive damages for which the individual Defendant  
21 Officers are liable;

22          13.    The amount of damages;

23               **Defendant's Contentions:**

24           In view of the admitted facts and the elements required to establish the claims  
25 and affirmative defenses, the following issues remain to be tried:

26           4.     Whether the amount of force used by Deputy Runge was objectively  
27 reasonable given the circumstances.  
28

1           5.     Whether Ursula Byram was unreasonably detained by Deputy  
2 Alcantara.

3           6.     Whether Deputy Runge's actions interfered with Plaintiffs' familial  
4 relationship with their father.

5           7.     Whether Deputies Runge and Alcantara are immune from liability for  
6 Plaintiffs' claims.

7           8.     Whether Defendant County of Los Angeles is liable for Plaintiff's  
8 *Monell* claims.

9 **9.     ALL DISCOVERY IS COMPLETE**

10  
11 **10.    ALL DISCLOSURES PURSUANT TO F. R. CIV. P 26(A)(3) HAVE**  
12 **BEEN MADE:**

13           The joint exhibit list of the parties has been filed under separate cover as  
14 required by L.R. 16-6.1. Counsel agrees that this is not the final joint exhibit list,  
15 and that counsel will file an Amended Joint Exhibit List as soon as practicable 10  
16 days before the trial begins.

17  
18 **11.    THE JOINT WITNESS LISTS OF THE PARTIES HAVE BEEN**  
19 **FILED WITH THE COURT:**

20           Only the witnesses identified in the lists will be permitted to testify (other  
21 than solely for impeachment). The parties do not foresee that they will present  
22 evidence by way of deposition testimony, other than for impeachment or record  
23 refresh. Therefore, deposition transcripts will not be lodged with the court as  
24 required by L.R. 32-1.

25 **12.    LAW AND MOTION:**

26 The Parties filed their Joint Motions in Limine on December 10, 2024.  
27  
28

1 **13. THE COURT HAS NOT ORDERED BIFURCATION OF ANY ISSUES**  
2 **AT THIS TIME**

3 Defendants respectfully request that this Court bifurcate the trial.  
4 Specifically, Defendants request that Plaintiffs' *Monell* Claim, Failure to Train  
5 Claim, and Ratification Claim against the County of Los Angeles be tried during  
6 the second phase of trial, assuming a jury finds the Deputy Defendants violated Mr.  
7 Byram's constitutional rights

8 The Parties agree that liability and punitive damages should not be tried  
9 together.

10  
11 **14. CONCLUSION,**

12 The foregoing admissions having been made by the parties, and the parties  
13 having specified the foregoing issues remaining to be litigated, this Final Pretrial  
14 Conference Order shall supersede the pleadings and govern the course of the trial  
15 of this cause, unless modified to prevent manifest injustice.

16  
17  
18 **IT IS SO ORDERED.**

19  
20 Dated: \_\_\_\_\_, 2024

\_\_\_\_\_  
Honorable Karen L. Stevenson  
United States District Court  
Central District of California

21  
22  
23  
24  
25 Approved as to form and content:  
26  
27  
28

1 DATED: December 10, 2024

**LAW OFFICES OF DALE K. GALIPO**

2 /s/ Cooper Alison-Mayne

3 Dale K. Galipo

4 Cooper Alison-Mayne

5 *Attorneys for Plaintiffs*

6 DATED: December 10, 2024

**HURRELL CANTRALL LLP**

7  
8 By: /s/ Jordan S. Stern

9 THOMAS C. HURRELL

10 JORDAN S. STERN

11 NICOLE G. ORTEGA

12 Attorneys for Defendants, COUNTY OF  
13 LOS ANGELES, BLAKE RUNGE and  
14 BRENDA ALCANTARA  
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